

**STATE OF CALIFORNIA
DEPARTMENT OF INDUSTRIAL RELATIONS
Division of Workers' Compensation**

NOTICE OF RULEMAKING AFTER EMERGENCY ADOPTION

**Subject Matter of Regulations: Workers' Compensation –
Supplemental Job Displacement Benefits**

**CALIFORNIA CODE OF REGULATIONS,
TITLE 8, ARTICLES 6, 6.5, 7.5, and 8
SUPPLEMENTAL JOB DISPLACEMENT BENEFIT**

NOTICE IS HEREBY GIVEN that the Acting Administrative Director of the Division of Workers' Compensation (hereinafter "Acting Administrative Director") pursuant to the authority vested in her by Labor Code sections 133, 4658.5, 4658.6, 4658.7 and 5307.3 has adopted regulations on an emergency basis to implement provisions of Labor Code sections 4658.5 through 4658.7 as implemented by Senate Bill 863 (Chapter 363, stats. of 2012, effective January 1, 2013).

The regulations amend Article 8 of Chapter 4.5, Subchapter 1, of Title 8, California Code of Regulations, section 9813.1 and Articles 6, 6.5, and 7.5 of Chapter 4.5, Subchapter 1.5, of Title 8, California Code of Regulations, sections 10116.9, 10117, 10118, 10133.53, 10133.55, 10133.57, 10133.58 and 10133.60, repeal sections 10133.51 and 10133.52, and adopt Article 7.5 of Chapter 4.5, Subchapter 1.5, of Title 8, California Code of Regulations, sections 10133.31, 10133.32, 10133.33, 10133.34, 10133.35, and 10133.36.

The emergency regulations listed below became effective on January 1, 2013, and will remain in effect for a period of 180 days from January 1, 2013. The purpose of this rulemaking is to adopt the emergency regulations on a permanent basis.

FORMAT OF REGULATORY TEXT

Text of Emergency Regulations Effective January 1, 2013:

Deletions from the original codified regulatory text made by the emergency regulatory text effective January 1, 2013, are indicated by single strike-through: ~~deleted language~~.

Additions to the original codified regulatory text made by the emergency regulatory text effective January 1, 2013, are indicated by single underlining: added language.

Additional Proposed Text Noticed for 45-Day Comment Period:

Deletions from the emergency regulatory text noticed for the 45-day comment period are indicated by strike-through underlining: deleted language.

Additions to the original codified regulatory text and emergency regulatory text noticed for the 45-day comment period are indicated by double underlining: added language.

Newly proposed deletions from the original codified regulatory text noticed for the 45-day comment period are indicated by double strike-through: ~~deleted language~~.

PROPOSED REGULATORY ACTION

The Division of Workers' Compensation has adopted regulations on an emergency basis that amend Article 8 of Chapter 4.5, Subchapter 1, of Title 8, California Code of Regulations, section 9813.1 and Articles 6, 6.5, and 7.5 of Chapter 4.5, Subchapter 1.5, of Title 8, California Code of Regulations, sections 10116.9, 10117, 10118, 10133.53, 10133.55, 10133.57, 10133.58 and 10133.60, repeal sections 10133.51 and 10133.52, and adopt Article 7.5 of Chapter 4.5, Subchapter 1.5, of Title 8, California Code of Regulations, sections 10133.31, 10133.32, 10133.33, 10133.34, 10133.35, and 10133.36:

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| Section 9813.1 | Notice of Supplemental Job Displacement Benefit, Notice of Offer of Modified or Alternative Work for Injuries on or After January 1, 2004. |
| Section 10116.9 | Definitions for Articles 6.5 and 7.5 |
| Section 10117 | Offer of Work; Adjustment of Permanent Disability Payments |
| Section 10118 | Form [DWC-AD 10118 "Notice of Offer of Work for Injuries Occurring Between 1/1/04 -12/31/12."] |
| Section 10133.31 | Requirement to Issue Supplemental Job Displacement Nontransferable Voucher for Injuries Occurring on or After January 1, 2013 |
| Section 10133.32 | Form [DWC-AD 10133.32 "Supplemental Job Displacement Nontransferable Voucher for Injuries Occurring on or After 1/1/13"] |
| Section 10133.33 | Form [DWC-AD 10133.33 "Description of Employee's Job Duties"] |
| Section 10133.34 | Offer of Work for Injuries Occurring on or After January 1, 2013. |
| Section 10133.35 | Form [DWC-AD 10133.35 "Notice of Offer of Work for Injuries Occurring on or After 1/1/13."] |
| Section 10133.36 | Form [DWC-AD 10133.36 "Physician's Return-to-Work & Voucher Report"] |
| Section 10133.51 | Notice of Potential Right to Supplemental Job Displacement Benefit |
| Section 10133.52 | Form [DWC-AD "Notice of Potential Right to Supplemental Job Displacement Benefit Form"] |
| Section 10133.53 | Form [DWC-AD 10133.53 "Notice of Offer of Modified or Alternative |

- Section 10133.55 Work for Injuries Occurring Between 1/1/04 – 12/31/12”]
Form [DWC-AD 10133.55 “Request for Dispute Resolution Before
the Administrative Director.”]
- Section 10133.57 Supplemental Job Displacement Nontransferable Training Voucher
Form for Injuries Occurring Between 1/1/04 – 12/31/12
- Section 10133.58 State Approved or Accredited Schools
- Section 10133.60 Termination of Claims Administrator’s Liability for the Supplemental
Job Displacement Voucher

TIME AND PLACE OF PUBLIC HEARING

A public hearing has been scheduled to permit all interested persons the opportunity to present statements or arguments, oral or in writing, with respect to the proposed regulatory action, on the follow date:

Date: March 19, 2013

Time: 10:00 a.m. to 5:00 p.m., or until conclusion of business

**Place: Elihu Harris State office Building – Auditorium
1515 Clay Street
Oakland, CA 94612**

The State Office Building and its Auditorium are accessible to persons with mobility impairments. Alternate formats, assistive listening systems, sign language interpreters, or other type of reasonable accommodation to facilitate effective communication for persons with disabilities, are available upon request. Please contact the State Wide Disability Accommodation Coordinator, Kathleen Estrada, at 1-866-681-1459 (toll free), or through the California Relay Service by dialing 711 or 1-800-735-2929 (TTY/English) or 1-800-855-3000 (TTY/Spanish) as soon as possible to request assistance.

Please note that public comment will begin promptly at 10:00 A.M. and will conclude when the last speaker has finished his or her presentation or 5:00 P.M., whichever is earlier. If public comment concludes before the noon recess, no afternoon session will be held.

The Acting Administrative Director requests, but does not require, that any persons who make oral comments at the hearing also provide a written copy of their comments. Equal weight will be accorded to oral comments and written materials.

WRITTEN COMMENT PERIOD

Any interested person, or his or her authorized representative, may submit written comments relevant to the proposed regulatory action to the Department of Industrial Relations, Division of Workers’ Compensation. The written comment period closes at

5:00 P.M., on March 19, 2013. The Division of Workers' Compensation will only consider comments received at the Department of Industrial Relations, Division of Workers' Compensation by that time. Equal weight will be accorded to oral comments presented at the hearing and written materials.

Submit written comments concerning the proposed regulations prior to the close of the public comment period to:

Maureen Gray
Regulations Coordinator
Department of Industrial Relations
P.O. Box 420603
San Francisco, CA 94612

Written comments may be submitted via facsimile transmission (FAX), addressed to the above-named contact person at (510) 286-0687. Written comments may also be sent electronically (via e-mail) using the following e-mail address: dwcrules@dir.ca.gov.

Unless submitted prior to or at the public hearing, Ms. Gray must receive all written comments no later than **5:00 P.M., on March 19, 2013.**

AUTHORITY AND REFERENCE

Labor Code sections 133, 4658.5, 4658.6, 4658.7 and 5307.3 authorize the Acting Administrative Director to adopt, amend and repeal these proposed regulations. The proposed regulations implement, interpret, and make specific sections 4658.5, 4658.6 and 4658.7 of the Labor Code.

Reference is to Labor Code sections 124, 4658, and 4658.1.

INFORMATIVE DIGEST/POLICY OVERVIEW

Section 4658.7 of the Labor Code (effective 1/1/13) requires the Administrative Director to adopt regulations necessary to administrate the supplemental job displacement benefit. Adoption of these regulations promotes fairness and benefits the general welfare of the people of California by providing injured workers with dates of injury on or after January 1, 2013 with a means to retrain and return to work.

Section 4658.5 of the Labor Code provides that an employee is entitled to a supplemental job displacement voucher if the injured employee does not return to work for the employer within 60 days of the termination of temporary disability for injuries occurring through December 31, 2012.

Senate Bill 863 added section 4658.7 for injuries occurring on or after January 1, 2013

and changed the conditions under which an injured worker is entitled to the voucher, the amount of the voucher and the expenses for which it may be used. A permanently partially disabled worker is entitled to a voucher unless the employer makes an offer of regular, modified, or alternative work that meets certain criteria. Instead of requiring the offer within 30 days of the termination of temporary disability, Labor Code section 4658.7 allows the employer to offer regular, modified, or alternative work within 60 days of receipt of a report finding that all conditions have become permanent and stationary and that the injury has caused permanent partial disability. The medical report must be from a primary treating physician, Agreed Medical Evaluator, or a Qualified Medical Evaluator.

The statute requires that the medical report that precipitates the offer must be made on a specific form created by the Administrative Director. Labor Code section 4658.7(h)(2) requires that the employer be fully informed of the work capacities and of activity restrictions resulting from the injury that are relevant to potential regular work, modified work, or alternative work. This is intended to make it easier for an employer to perform the return-to-work analysis and understand the injured worker's work capacities so that it can make an informed decision regarding a return to work offer. Under SB 863, injured workers will be provided voucher benefits sooner in the life of their claim.

The described regulations were adopted as emergency regulations, effective January 1, 2013. This rulemaking would make the regulations permanent. These regulations implement, interpret, and make specific sections 4658.5 through 4658.7 of the Labor Code as follows:

Item 1 – Section 9813.1. Notice of Supplemental Job Displacement Benefit, Notice of Offer of Modified or Alternative Work for Injuries Occurring on or After January 1, 2004.

- Section 9813.1(a) has been deleted. Assembly Bill (AB) 355 (Chapter 544) repealed the requirement for this notice of the potential right to supplemental job displacement benefit by deleting former subdivision (c) of Labor Code section 4856.
- Therefore, section 9813.1 (a) was deleted to conform with the statutory change.

Item 2 – Section 10116.9. Definitions for Articles 6.5 and 7.5

- This section provides definitions for key terms regarding vouchers.
- The definitions of “furnished” and “receipt” are added to ensure that its meaning, as used in the regulations, will be clear to the regulated public.

Item 3 – Section 10117. Offer of Work; Adjustment of Permanent Disability Payments.

- This section was amended to reflect its application to injuries occurring only until December 31, 2012.

Item 4 – Section 10118. Form [DWC-AD 10118 “Notice of Offer of Work for Injuries Occurring Between 1/1/04 – 12/31/12.”]

- This section was amended to reflect its application to injuries occurring only until December 31, 2012.

Item 5 – Section 10133.31. Requirement to Issue Supplemental Job Displacement Nontransferable Voucher for Injuries Occurring on or After 1/1/13.

- This section covers vouchers for injuries on or after January 1, 2013.
- If the injury causes partial permanent disability, the employee is eligible for a voucher unless the employer makes an offer of regular, modified, or alternative work within 60 days after receipt by the claims administrator of the new form “Physician’s Return-to-Work & Voucher Report” and the offer of work lasts at least 12 months. The time for issuance of the offer has changed. Instead of requiring the offer within 30 days of the termination of temporary disability, Labor Code section 4658.7 allows the employer to offer regular, modified, or alternative work within 60 days of receipt of a report finding that all conditions have become permanent and stationary and that the injury has caused permanent partial disability. The medical report must be from a primary treating physician, Agreed Medical Evaluator, or a Qualified Medical Evaluator.
- The statute requires that the medical report that precipitates the offer must be made on a specific form created by the Administrative Director. Labor Code section 4658.7(h)(2) requires that the employer be fully informed of the work capacities and of activity restrictions resulting from the injury that are relevant to potential regular work, modified work, or alternative work. This is intended to make it easier for an employer to perform the return-to-work analysis and understand the injured worker’s work capacities so that it can make an informed decision.
- Labor Code section 4658.7(b)(1)(A) provides that the employer has the option of providing the physician with a job description. If the option is exercised, the physician is to evaluate and describe in the form whether the work capacities and activity restrictions are compatible with the physical requirements set forth in that job description.
- Labor Code section 4658.7(b)(1)(B) provides that the claims adjuster is to send the form to the employer.
- Labor Code section 4658.7(c) requires an employer to offer an injured worker the

voucher within 20 days after the window for making an offer of work.

- Labor Code section 4658.7(d) provides that the voucher may be redeemed for as much as an aggregate of \$6,000. For injuries before January 1, 2013, the amount varies depending on the level of disability.
- The expenses for which an injured worker could use the voucher were limited for injuries occurring before January 1, 2013. An injured worker could use the voucher for payment of tuition, fees, books and other expenses required by the school for retraining and skill enhancement, with 10 percent of the voucher for vocational or return-to-work counseling.
- For injuries occurring on or after January 1, 2013, vouchers can be used for:
 1. Payment of education-related retraining or skill enhancement, or both, at a California public school or with a provider that is certified and on the state's Eligible Training Provider List, including payment of tuition, fees, books, and other expenses required by the school for retraining or skill enhancement;
 2. Payment for occupational licensing or professional certification fees, related examination fees and examination preparation course fees;
 3. Payment for the services of licensed placement agencies, vocational or return-to-work counseling and resume preparation, for as much as a combined 10 percent of the amount of the voucher;
 4. Purchase of tools required by a training or educational program in which the employee is enrolled;
 5. Purchase of computer equipment including, but not limited to monitors, software, networking devices, input devices (such as keyboard and mouse), peripherals (such as printers), and tablet computers of up to one thousand dollars (\$1,000) reimbursable after cost is incurred and submitted with appropriate documentation. The employee shall not be entitled to reimbursement for purchase of games or any entertainment media;
 6. Up to \$500 for miscellaneous expense reimbursement or advance, payable on request without itemized documentation or accounting. The request can be made via email or regular mail. The employee is not entitled to any other voucher payment for transportation, travel, telephone or Internet access, clothing or uniforms or incidental expenses.

Item 6 – Section 10133.32. Form [DWC-AD 10133.32 “Supplemental Job Displacement Non-Transferable Voucher for Injuries Occurring on or After

1/1/13.”]

- This section is the voucher form. It is sent to the injured worker with an expiration date and information on how to redeem the voucher.

Item 7 – Section 10133.33. Form [DWC-AD 10133.33 “Description of Employee’s Job Duties”]

- This is an optional form which can be sent to a physician prior to any medical evaluation declaring the employee permanent and stationary with permanent partial disability.
- Labor Code section 4658.7(b)(1)(A) provides that the employer has the option of providing the physician with a job description. If the option is exercised, the physician is to evaluate and describe in the form whether the work capacities and activity restrictions are compatible with the physical requirements set forth in that job description

Item 8 – Section 10133.34. Offer of Work for Injuries Occurring on or After 1/1/13.

- Labor Code section 4658.7 provides that the employer shall not be liable for the supplemental job displacement benefit if the employer timely offers regular, modified or alternative work, which must meet certain criteria.
- This section sets forth the criteria for the offer of work.

Item 9 – Section 10133.35. Form [DWC-AD 10133.35 “Notice of Offer of Work for Injuries Occurring on or After 1/1/13.”]

- This section is a mandatory form that the employer must send to the injured employee if the employer has regular, modified or alternative work available.
- On page two of this form, the term “regular” has been added to the emergency regulatory text and is indicated by double “underlining.”
- On page two of this form next to the heading “Position Requirements,” the phrase “If the offer is for regular work, skip this page” has been deleted from the emergency regulatory text and is indicted by double strike through.

Item 10 – Section 10133.36. Form [DWC-AD 10133.36 “Physician’s Return-to-Work & Voucher Report.”]

- This section is the mandatory form which Labor Code section 4658.7(h)(2) requires to fully inform the employer of work capacities and of activity restrictions resulting from the injury that are relevant to potential regular work, modified work, or alternative work.

Item 11 – Section 10133.51. Notice of Potential Right to Supplemental Job Displacement Benefit.

- This section was deleted to conform with AB 335 (Chapter 544) which deleted the requirement to provide a notice of potential rights to supplemental job displacement benefit.

Item 12 – Section 10133.52. Form [DWC-AD "Notice of Potential Right to Supplemental Job Displacement Benefit Form."]

- This section was deleted to conform with AB 335 (Chapter 544) which deleted the requirement to provide a notice of potential rights to supplemental job displacement benefit.

Item 13 – Section 10133.53. Form [DWC-AD 10133.53 "Notice of Offer of Modified or Alternative Work for Injuries Occurring Between 1/1/04 – 12/31/12."]

- This section was amended to reflect its application to injuries occurring only until December 31, 2012.

Item 14 - Section 10133.55 Form [DWC-AD 10133.55 “DWC-AD 10133.55 “Request for Dispute Resolution Before the Administrative Director.”]

- This section is the form used to request dispute resolution before the Administrative Director regarding the supplemental job displacement benefit.
- This form was amended to include disputes regarding vouchers for injuries occurring on or after January 1, 2013.

Item 15 - Section 10133.57. Supplemental Job Displacement Nontransferable Training Voucher Form for Injuries Occurring between 1/1/04 and 12/31/12.

- This section was amended to reflect its application to injuries occurring only until December 31, 2012.

Item 16 – Section 10133.58. State Approved or Accredited Schools.

- Labor Code section 4658.7(e)(1) provides that the voucher may be applied towards payment for education-related retraining or skill enhancement, or both at a provider that is on the state’s Eligible Training Provider List.
- This section was amended to reflect changes to eligible providers.

Item 17 – Section 10133.60. Termination of Claims Administrator’s Liability for the Supplemental Job Displacement Voucher.

- Time for use of the voucher is limited. Labor Code section 4658.7(f) provides

that a voucher expires two years after the date it is furnished, or five years after the date of injury, whichever is later.

- The employee is not entitled to payment of reimbursement of any expenses that have not been incurred and submitted to the employer with appropriate documentation before the expiration date.

Objective and Anticipated Benefits of the Proposed Regulations:

The objective of the proposed regulations is to administrate the supplemental job displacement benefit to injured workers who cannot return to work with dates of injury occurring on or after January 1, 2013 as mandated by Labor Code sections 4568.5 through 4658.7. In addition, this rulemaking action amends and repeals existing regulations to conform to statutory changes mandated by SB 863.

The proposed regulations will be beneficial to the health and welfare of California residents, worker safety, and the state's environment by making it easier for an employer to perform the return-to-work analysis and understand the injured worker's work capacities so that it can make an informed decision regarding a return-to-work offer. The proposed regulations also ensure that injured workers who are not given a return-to-work offer receive the supplemental job displacement voucher earlier in the life of the claim so that it can be fully utilized. All eligible injured workers who are not timely returned to work are entitled to the same \$6000 voucher and the expenses for which an injured worker can use the voucher has been expanded to include computer equipment and miscellaneous expense reimbursement allowing the injured worker greater flexibility in the utilization of the voucher. Returning injured workers to productive work will have a positive effect on the state's economy thereby benefitting the health and welfare of California residents, worker safety, and the state's environment.

Determination of Inconsistency/Incompatibility with Existing State Regulations

The Acting Administrative Director has determined that this proposed regulation is not inconsistent or incompatible with existing regulations. After conducting a review for any regulations that would relate to or affect this area, the Acting Administrative Director has concluded that these are the only regulations that concern supplemental job displacement benefits for purposes of Labor Code section 4658.5, 4658.6 and 4658.7.

DISCLOSURES REGARDING THE PROPOSED ACTION

The Acting Administrative Director has made the following initial determinations:

- Mandate on local agencies and school districts: None.
- Cost or savings to any state agency: None.
- Cost to any local agency or school district which must be reimbursed in

accordance with Government Code section 17500 through 17630: None.

- Other nondiscretionary cost or savings imposed on local agencies: None.
- Cost or savings in federal funding to the state: None.
- Cost impacts on a representative private person or business: The Administrative Director is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Statewide adverse economic impact directly affecting businesses and individuals: The proposed regulations changes existing procedures and forms to comply with statutory changes of the supplemental job displacement benefit. Minor transactional costs will be offset by the elimination of the required notice. Therefore, the Acting Administrative Director concludes that the regulations will not have an adverse economic impact, nor affect the ability of California businesses to compete with businesses in other states.
- Significant effect on housing costs: None.

Results of the Economic Impact Analysis/Assessment

The Acting Administrative Director concludes that it is (1) unlikely the proposal will create any jobs within the State of California, (2) unlikely that the proposal will eliminate any jobs within the State of California, (3) unlikely that the proposal will create any new businesses within the State of California, (4) unlikely that the proposal will eliminate any existing businesses within the State of California, and (5) unlikely the proposal would cause the expansion of businesses currently doing business within the State of California.

Benefits of the Proposed Action: The benefit anticipated from the regulations is returning injured workers to productive work. The eligibility, amount and format of the benefit are prescribed by statute. The proposed regulations provide the forms and make specific the procedures. The regulations not only make it easier for the employers to assess a return-to-work offer, but eligible workers are also provided this benefit earlier in the life of the claim. The voucher amount is the same regardless of the level of permanent disability so that all injured workers who are not provided a return-to-work offer can take full advantage of this benefit equally. Specifically, the regulations will benefit the health and welfare of California residents, worker safety, and the environment by providing a means for injured workers to train to find gainful employment.

Small Business Determination: The Acting Administrative Director has determined that the proposed regulations affect small business.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code section 11346.5, subdivision (a)(13), the Acting Administrative Director must determine that no reasonable alternative considered or brought to the attention of the Acting Administrative Director's attention would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action or would be more cost-effective to affected private persons and equally effective in implementing the statutory policy or other provision of law.

The Acting Administrative Director invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations during the written comment period, or at the public hearing.

CONTACT PERSON FOR GENERAL QUESTIONS

Non-substantive inquiries concerning this action, such as requests to be added to the mailing list for rulemaking notices, requests for copies of the text of the proposed regulations, the Initial Statement of Reasons, and any supplemental information contained in the rulemaking file may be requested in writing at the same address. The contact person is:

Maureen Gray
Regulations Coordinator
Department of Industrial Relations
Division of Workers' Compensation
P.O. Box 420603
San Francisco, CA 94612
E-mail: mgray@dir.ca.gov
Telephone: (510) 286-7100

CONTACT PERSON FOR SUBSTANTIVE QUESTIONS

In the event the contact person is unavailable, or for questions regarding the substance of the proposed regulations, inquiries should be directed to:

Carol Finuliar or Karen Pak
Division of Workers' Compensation
P.O. Box 420603
San Francisco, CA 94142
Email: cfinuliar@dir.ca.gov
kpak@dir.ca.gov
Telephone: (510) 286-7100

AVAILABILITY OF STATEMENT OF REASONS, TEXT OF PROPOSED REGULATIONS, AND RULEMAKING FILE

An Initial Statement of Reasons and the text of the proposed regulations in plain English have been prepared and are available from the contact person named in this Notice. The entire rulemaking file will be made available for inspection and copying at the address indicated below.

As of the date of this Notice, the rulemaking file consists of the Notice, the Initial Statement of Reasons, proposed text of the regulations, pre-rulemaking comments and the Economic Impact Statement (Form STD 399). Also included are studies and documents relied upon in drafting the proposed regulations.

In addition, the Notice, Initial Statement of Reasons, and proposed text of the regulations being proposed may be accessed and downloaded from the Division's website at www.dir.ca.gov. To access them, click on the "Proposed Regulations – Rulemaking" link and scroll down the list of rulemaking proceedings to find the Supplemental Job Displacement Benefit (SJDB) link.

Any interested person may inspect a copy or direct questions about the proposed regulations and any supplemental information contained in the rulemaking file. The rulemaking file will be available for inspection at the Department of Industrial Relations, Division of Workers' Compensation, 1515 Clay Street, 17th Floor, Oakland, California 94612, between 9:00 A.M. and 4:30 P.M., Monday through Friday. Copies of the proposed regulations, Initial Statement of Reasons and any information contained in the rulemaking file may be requested in writing to the contact person.

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After considering all timely and relevant comments received, the Acting Administrative Director may adopt the proposed regulations substantially as described in this notice. If the Acting Administrative Director makes modifications which are sufficiently related to the originally proposed text, the Acting Administrative Director will make the modified text (with the changes clearly indicated) available to the public for at least 15 days before the Administrative Director adopts the regulations as received.

AVAILABILITY OF FINAL STATEMENT OF REASONS

Upon its completion, the final Statement of Reasons will be available and copies may be requested from the contact person named in this Notice or may be accessed on the Division's website at www.dir.ca.gov.

AUTOMATIC MAILING

A copy of this Notice, the Initial Statement of Reasons, and the text of the regulations, will automatically be sent to those interested persons on the Administrative Director's mailing list.

If adopted, the regulations as amended, will appear in California Code of Regulations, title 8, commencing with section 9813.1. The text of the final regulations also may be available through the website of the Office of Administrative Law at www.oal.ca.gov.